

## MARY HEANEY.

APRIL 12, 1904.—Ordered to be printed.

Mr. BALL, from the Committee on Pensions, submitted the following

### REPORT.

[To accompany H. R. 13850.]

The Committee on Pensions, to whom was referred the bill (H. R. 13850) granting an increase of pension to Mary Heaney, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives is as follows:

Hubert Heaney, the soldier named in this bill, who served under the name of Hubert Feaghey as a private in Company D, Fifth New York Heavy Artillery, from September 7, 1864, to June 22, 1865, when honorably discharged, was pensioned under the general law on account of rheumatism and resulting disease of heart, at \$2 per month from discharge, at \$8 from February 4, 1885; at \$24 from January 13, 1886, and at \$30 from January 29, 1891.

He died March 16, 1901, of chronic cystitis.

The beneficiary named in the bill, now 68 years of age, who married the soldier on October 12, 1851, is now pensioned under the act of June 27, 1890, at \$8 per month, upon proof that she was the soldier's legal widow and was dependent upon her daily labor within the meaning of that act as amended by the act of May 9, 1900.

She filed no claim to pension under the general law.

Medical and other testimony filed with your committee shows that the beneficiary for the past three years has been suffering from arthritis deformans; that she is entirely helpless, requiring assistance in dressing and undressing, etc.; that she has been unable to stand alone for the past three years and is confined to a chair, and that she is without means of support except the pension of \$8 per month and the contributions of two daughters who are employed as clerks at small salaries.

The case of this widow is worthy of sympathetic consideration in view of her helpless physical condition and poverty.

An increase of her pension to \$16 per month is in line with precedents in similar cases.

The passage of the bill is therefore recommended.

This is an increase of pension under the act of June 27, 1890, and is a gratuity pure and simple. This being so it is not believed to be good policy to increase the rate beyond that provided by the general law, where the death of the soldier is shown to be due to service. The bill is therefore reported back favorably with a recommendation that it pass when amended by striking out the word "sixteen," in line 8, and inserting in lieu thereof the word "twelve."